

A / Reissue

07/27/01

**REISSUE  
PATENT APPLICATION  
TRANSMITTAL**

Attorney Docket No.	211836US-2-SRD RE
First Named Inventor	Yasuo OHBA
Original Patent Number	5,929,466
Original Patent Issue Date	July 27, 1999
Title	SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

43978 U.S. PTO  
09/915710  
07/27/01

APPLICATION FOR REISSUE OF: ☒ Utility Patent ☐ Design Patent ☐ Plant Patent

APPLICATION ELEMENTS	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification and claims</p> <p>3. <input checked="" type="checkbox"/> Formal Drawing(s)</p> <p>4. <input type="checkbox"/> Reissue Oath or Declaration</p> <p>5. Original U.S. Patent <input type="checkbox"/> Offer to surrender original patent or <input type="checkbox"/> Ribboned Original Patent Grant <input type="checkbox"/> Affidavit / Declaration of Loss</p> <p>6. Original U.S. Patent currently assigned? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, check applicable boxes <input checked="" type="checkbox"/> Written Consent of all Assignees <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of Attorney</p>	<p><b>ACCOMPANYING APPLICATION PARTS</b></p> <p>7. <input checked="" type="checkbox"/> Statement of status/support for all changes to the claims. See 37 CFR 1.173 (c).</p> <p>8. <input checked="" type="checkbox"/> Foreign Priority Claim (35 U.S.C. 119)</p> <p>9. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>10. <input type="checkbox"/> English Translation of Reissue Oath/Declaration</p> <p>11. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> White Advance Serial No. Postcard</p> <p>14. <input checked="" type="checkbox"/> Other: Request for Priority Terminal Disclaimer from parent case, serial number 08/874,299, filed on June 13, 1997</p>

**15. CORRESPONDENCE ADDRESS**

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Signature:	<i>Carl E. Schlier</i>	Date:	July 26, 2001
Name:	Carl E. Schlier	Registration No.:	34,426

REISSUE APPLICATION FEE TRANSMITTAL FORM					Docket Number 211836US-2-SRD RE	
Claims as filed - Part 1						
Claims in Original Patent	For	Number Filed in Reissue Application	Number Extra	Rate		Fee
10	Total Claims	44	24	x	\$18 =	\$432.00
2	Independent	6	4	x	\$80 =	\$320.00
Basic Fee (37 CFR 1.16(h))						\$710.00
Late Filing of Declaration						\$130.00
Total of above calculations						\$710.00
<input type="checkbox"/> Reduction by 50% for filing by small entity						\$0.00
<b>Total Filing Fee</b>						<b>\$1,592.00</b>

- ☐ Please charge Deposit Account No. 15-0030 in the amount of \_\_\_\_\_ A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$1,592.00 to cover the filing/additional fee is enclosed.

7-27-01

Date

Signature of Applicant, Attorney or Agent of Record

Gregory J. Maier  
Registration No. 25,599

Typed or printed name

James D. Hamilton  
Registration No. 28,421

211836US-2SRD RE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION FOR REISSUE :  
OF US 5,929,466 TO :

Yasuo OHBA, et al. : GROUP: Unassigned

SERIAL NO: New Reissue Application : EXAMINER: Unassigned

FILED: Herewith :

FOR: SEMICONDUCTOR DEVICE AND:  
METHOD OF FABRICATING...

LETTER TO THE COMMISSIONER AND 37 CFR §1.173(C) STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

The Applicants are filing the present reissue application for U.S. 5,929,466 ('466) within 2 years of issuance of '466 in part to enlarge the scope of the claims of the original patent. A reissue oath/declaration will be filed at a later date.

Pursuant to 37 C.F.R. §1.173(c), the reissue application contains claims 1-44, with claims 1-10 being original to the patent and claims 11-44 being added in the reissue application. Each of claims 1-44 is currently pending.

All claims added in the reissue application are fully supported by the specification. The following table lists the support, in part, for the subject matter recited in the added claims 11-44.

Claim 11:	Column 6, lines 11-13
Claim 12:	Column 6, lines 23-27
Claim 13:	Column 7, lines 24-27
Claim 14:	Column 2, lines 59-63
Claim 15:	FIG. 2
Claim 16:	FIG. 2
Claim 17:	FIG. 2, Column 6, lines 23-27
Claim 18:	Column 6, lines 23-27
Claim 19:	Column 6, line 6
Claim 20:	Column 7, lines 21-24
Claim 21:	Column 2, lines 59-60
Claim 22:	Column 6, line 23
Claim 23:	FIG. 2
Claim 24:	FIG. 2, Column 7, lines 21-24
Claim 25:	Column 6, line 11
Claim 26:	Column 7, lines 21-24
Claim 27:	Column 6, lines 23-27
Claim 28:	Column 2, lines 59-60
Claim 29:	FIG. 2
Claim 30:	FIG. 2
Claim 31:	FIG. 2, Column 7, lines 21-24
Claim 32:	Column 7, lines 21-24
Claim 33:	Column 7, lines 21-24

Claim 34: Column 6, lines 23-27

Claim 35: Column 2, lines 59-60

Claim 36: FIG. 2

Claim 37: FIG. 2

Claim 38: FIG. 2

Claim 39: Column 7, lines 51-54

Claim 40: Column 7, lines 54-58

Claim 41: Column 2, lines 59-60

Claim 42: FIG. 2

Claim 43: FIG. 2

Claim 44: Column 6, lines 23-27

Examination on the merits of claims 11-44 is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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T-158 P.02/02 U-037

211836US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION FOR REISSUE OF:  
USP 5,929,466 to OHBA ET AL

: EXAMINER:

SERIAL NO.: 08/874,299

:

FILED: HEREWITH

: GROUP ART UNIT:

FOR: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE  
SAME

WRITTEN CONSENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

The assignee of this patent, Kabushiki Kaisha Toshiba, established by assignment of Application Serial No. 08/400,865, now U.S. 5,656,832, the parent of U.S. 5,929,466, recorded at reel 7444, frame nos. 804-806, consents to the filing of this application for the reissue of US 5,929,466. The undersigned, Takashi Nakayama, has the authority to act upon the behalf of the assignee to consent to this reissue.

X  X

Takashi Nakayama  
General Manager, Intellectual Property Division

\_\_\_\_\_  
Date

0901540-072704  
T0220-0745060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE APPLICATION OF: YASUO OHBA ET AL

GROUP ART UNIT: 2815

SERIAL NO: 08/874,299

EXAMINER: JACKSON, JR.

FILED: JUNE 13, 1997

FOR: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

TERMINAL DISCLAIMER

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

KABUSHIKI KAISHA TOSHIBA is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment

KABUSHIKI KAISHA TOSHIBA hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,656,832, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 5,656,832 this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

KABUSHIKI KAISHA TOSHIBA does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,656,832 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

7-29-01

Date Signed

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